



UNITED STATES DEPARTMENT OF COMMERCE
The Under Secretary of Commerce
for Oceans and Atmosphere
Washington, D.C. 20230

EYOS Expeditions Ltd.
c/o Mr. Robert McCallum, Founding Partner
Knox House, 16-18 Finch Road
Douglas, Isle of Man, IM1 2PT
Company No. 012273V

JUL 30 2019

Dear Mr. McCallum:

The National Oceanic and Atmospheric Administration (NOAA) has approved the issuance of an authorization (Titanic-2019-001-A1) to conduct up to five private dives and specified research activities at the R.M.S. *Titanic* wreck site using a two-man submersible. Activities are to be conducted in accordance with the detailed terms and conditions of the amended authorization (enclosed). The information and materials were submitted to NOAA by Expedition Yacht Operations and Services Expeditions Ltd. on April 4, 2019, and in subsequent email and phone exchanges from March to July 2019.

This amended authorization is not valid until signed and returned to NOAA. Retain one signed copy and keep it in your possession while conducting the authorized activities. One additional copy must be signed and returned by either mail or email to the following address within 30 days of issuance, as well as before commencing any activity permitted by this authorization:

David W. Alberg
Superintendent
Monitor National Marine Sanctuary
NOAA, Office of National Marine Sanctuaries
100 Museum Drive
Newport News, VA 23606
David.Alberg@noaa.gov

Please ensure that you review and understand all terms and conditions of this authorization. Also, please note that once this authorization becomes valid it will supersede and replace in its entirety authorization Titanic-2019-001. If you have any further questions, please contact Mr. Alberg at David.Alberg@noaa.gov. Thank you for your continued cooperation with NOAA.

Sincerely,

A handwritten signature in blue ink, appearing to read "Neil Jacobs".

Neil Jacobs, Ph.D.
Assistant Secretary of Commerce
for Environmental Observation and Prediction
Performing the Duties of Under Secretary of
Commerce for Oceans and Atmosphere

Enclosure



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THE ADMINISTRATOR



**R.M.S. TITANIC
SECTION 113 AUTHORIZATION**

Authorization Holder:

EYOS Expeditions Ltd.
c/o Mr. Robert McCallum, Founding Partner
Knox House, 16-18 Finch Road
Douglas, Isle of Man, IM1 2PT
Company No. 012273V

Authorization No.: Titanic-2019-001-A1**Expiration Date:** Dec. 31, 2019

This authorization is issued for activities in accordance with Section 113 of the Consolidated Appropriations Act, 2017, Public Law 115-31, 131 Stat. 135, 192 (2017). All activities must be conducted in accordance with Section 113, and in a manner consistent with the 1986 R.M.S. *Titanic* Maritime Memorial Act, the NOAA Guidelines for Research, Exploration, and Salvage of R.M.S. *Titanic*, International Maritime Organization (IMO) Circular MEPC.1/Circ.779, and applicable orders from the U.S. District Court for the Eastern District of Virginia. No activity prohibited by Section 113 is allowed except as specified in the activity description below.

Subject to the terms and conditions of this authorization, the National Oceanic and Atmospheric Administration (NOAA) hereby permits the authorization holder listed above to conduct up to five private dives and conduct specified research activities (described below) at the R.M.S. *Titanic* wreck site using a two-man submersible. All activities shall be conducted in accordance with this authorization. The information and materials that Expedition Yacht Operations and Services Expeditions Ltd. ("EYOS") submitted to NOAA are incorporated into this authorization and made a part hereof. However, if there are any conflicts or inconsistencies between the information provided and the terms and conditions of this authorization, the terms and conditions of this authorization shall be controlling.

Authorized Activity Description:

This authorization permits the following activities:

1. Conducting up to five dives using a fully classed DNV-GL two-man submersible around the *Titanic* wreck site and the exterior (not interior) of the two large hull pieces of the wreck and wreck site.
2. Deploying two free-fall landers from DSSV *Pressure Drop*, a 224-foot research vessel, registered in the Marshall Islands and with the International Maritime Organization (IMO) (No. 8833867). The landers must be deployed so that they land within 100 meters of one or more of the drop weight areas identified in IMO Circular MEPC.1/Circ.779 as the following four coordinates:

49°56'46.0"W
41°44'07.5"N

49°56'32.3"W
41°4'50.6"N

49°57'06.0"W
41°43'57.5"N

49°57'01.0"W
41°43'41.2"N

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3. Abandoning on the seabed within 100 meters of the drop weight areas identified above in No. 2 raw steel drop weights from the two free-fall landers and the submersible.

4. Contingent upon receiving permission from the U.S. District Court for the Eastern District of Virginia, the authorization holder may recover from up to four scientific research trays previously left at the site during the 1998 and 2004 expeditions, and place one new research tray at the wreck site.

The authorization holder may recover the four trays previously left at the site provided that each tray is visible and readily accessible, and may be retrieved without damage to the wreck, the wreck site, or any associated artifacts. The authorization holder may place the new research tray on or near *Titanic's* bow, but only if such placement is permitted by the Court and can be accomplished without damage to the wreck, the wreck site, or any associated artifacts. If the tray cannot be deposited on *Titanic's* bow in a manner that assures that there will be no damage to the wreck, the tray can be left on the seabed adjacent to the bow section. The tray shall not be placed aft of the forecastle deck.

5. Contingent upon receiving permission from the U.S. District Court for the Eastern District of Virginia, the authorization holder may conduct a limited removal of rusticle samples (no more than 500 grams) from *Titanic*, provided that such removal can be accomplished without damage to the wreck, the wreck site, or any associated artifacts. The authorization holder is not permitted to scrape or damage the hull or any other part of the ship to collect the rusticle samples.

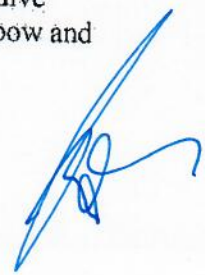
Special Terms and Conditions:

1. As described in Authorized Activity Description No. 4, if the authorization holder receives permission from the U.S. District Court for the Eastern District of Virginia to recover the 1998 and 2004 research trays and/or place a new research tray, the authorization holder shall document the location of the recovered trays and new tray, and photograph the location before and after recovery and placement. The authorization holder shall provide copies of such documentation and photographs to the individual listed in General Condition No. 1, the U.S. District Court for the Eastern District of Virginia, and RMST.

2. As described in Authorized Activity Description No. 5, if the authorization holder receives permission from the U.S. District Court for the Eastern District of Virginia to conduct limited rusticle removal, the authorization holder shall document the location on the wreck from where it takes the rusticle sample and photograph the location before and after recovery.

3. No physical alteration or disturbance of the wreck or wreck site, including the seabed, is authorized except as described in the Authorized Activity Description section above. This authorization does not permit landing on or making any physical contact with the *Titanic* wreck or any artifacts except as described in the Authorized Activity Description section above.

4. No excursion within the interior of the *Titanic* is authorized at any time. During all dive operations, the submersible shall stay at least 20 feet from the two large hull sections (bow and



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stern) except when recovering or placing the scientific research trays or collecting the rusticle sample, as described in Authorized Activity Description Nos. 4 and 5. No plaques, memorials, or other temporary or permanent fixtures shall be installed, attached, or placed on *Titanic*, except as described in the Authorized Activity Description section above.

5. Unless expressly permitted by the U.S. District Court for the Eastern District of Virginia, this authorization does not authorize cutting into or cutting off any part of the wreck. RMS Titanic, Inc. v. The Wrecked and Abandoned Vessel, etc., 2:93cv902 (Jul. 28, 2000).

6. Any drop weights abandoned on the seabed for necessary descent and ascent of the landers and submersible must be deposited in four specific areas around the wreck site, defined in IMO Circular MEPC.1/Circ.779 as the areas within 100 meters of the following four coordinates:

49°56'46.0"W	49°56'32.3"W	49°57'06.0"W	49°57'01.0"W
41°44'07.5"N	41°43'50.6"N	41°43'57.5"N	41°43'41.2"N

7. The authorization holder shall not discharge garbage, blackwater, graywater, or any other incidental discharges to the operation of the vessel or submersible:

- a) Within 10 nautical miles of the *Titanic* wreck site, defined in IMO Circular MEPC.1/Circ.779 by the following coordinates:

49°43'11.0"W	50°10'16.7"W	49°43'38.4"W	50°10'00.0"W
41°55'04.7"N	41°32'21.3"N	41°32'06.7"N	41°55'19.5"N

- b) Or, within 15 nautical miles up-current of the same.

8. Throughout the duration of the expedition, DSSV *Pressure Drop* shall keep its Automatic Identification System (AIS) turned on. Should the AIS malfunction, the authorization holder shall directly notify via email David Alberg, NOAA's Superintendent of the Monitor National Marine Sanctuary, at David.Alberg@noaa.gov, or by phone (757) 869-4291 (mobile) or (757) 591-7326 (office), when DSSV *Pressure Drop* is within 10 miles of the wreck site and when DSSV *Pressure Drop* departs the wreck site.

9. The authorization holder shall comply with all applicable laws and regulations including, but not limited to, existing IMO standards that prohibit discharge of plastic, oil, chemicals, or other noxious or hazardous liquids.

10. The authorization holder must submit a final report to NOAA no later than 30 days after the expiration date of this authorization. If the authorization holder wishes to apply for additional authorization(s), submittal and acceptance of the final report shall be required prior to consideration. The final report must be submitted by email to the individual listed in General Condition No. 1. The final report shall address the following:

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- a) How the expedition was conducted, including dates, locations from where the submersible and landers were deployed, what vessels, submersible, and other equipment were used, weather conditions, and participants' names and roles;
- b) Coordinates for where the landers were intended to be deployed and for where they actually landed on the seabed;
- c) Coordinates for where drop weights were abandoned on the seabed, and number and weight of drop weights;
- d) Coordinates for where the landers surfaced upon ascent;
- e) Whether the expedition objectives were met, whether the methodology and techniques were successfully employed, and whether the desired results were achieved;
- f) Observations regarding the state of the shipwreck and wreck site, including the quantity and type of modern trash present, amount and type of drop weights and ballast present, and signs of damage to the shipwreck;
- g) Documentation and photographs taken pursuant to Special Terms and Conditions Nos. 1 and 2;
- h) Results of any analyses conducted as a result of Authorized Activity Description Nos. 4 and 5;
- i) Identification of any artifacts inadvertently uncovered as a result of the activities authorized herein. If any artifacts are inadvertently uncovered or damaged, the authorization holder shall photograph the artifact(s), document associated notes from observations, and identify the location of the artifact(s).

11. NOAA reserves the right to have a NOAA observer(s) aboard the authorization holder's vessel during all activities permitted by this authorization. If present, the NOAA observer(s) will document the authorization holder's activities for the purpose of determining whether the expedition was conducted in accordance with the terms and conditions of this authorization and the applicable statute and regulations. The observer(s) may also provide limited advice and technical assistance, if requested by the authorization holder. The observer(s) will not be present for the purpose of safety or rescue of the permittee, nor for the purpose of approval of activities not specifically authorized by this permit.

12. All activities undertaken pursuant to this authorization shall be conducted in a manner consistent with orders of the U.S. District Court for the Eastern District of Virginia, which has constructive *in rem* jurisdiction over the *Titanic* wreck and wreck site and which has granted to RMST exclusive salvage rights to *Titanic*.

General Terms and Conditions:

1. Within 30 days of the date of issuance, the authorization holder must sign and date this authorization for it to be considered valid. Once signed, the authorization holder must send one copy via mail or email to the following individual:

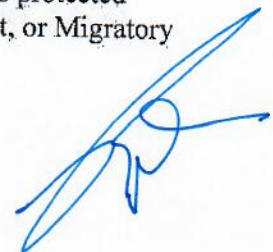
David W. Alberg
Superintendent
Monitor National Marine Sanctuary
NOAA, Office of National Marine Sanctuaries



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100 Museum Drive
Newport News, VA 23606
David.Alberg@noaa.gov

2. It is a violation of this authorization to conduct any activity permitted by this authorization prior to NOAA having received a copy signed by the authorization holder.
3. The authorization holder must contact the individual listed in General Condition No. 1 to ensure that the authorization has been received and the authorization holder or his designee understands the terms and conditions before conducting any activity permitted by this authorization.
4. This authorization may only be amended by the NOAA Administrator or his designee. The authorization holder may not amend any part of this authorization at any time. The terms of the authorization must be accepted in full, without revision; otherwise, the authorization holder must return the authorization to NOAA with a written explanation for its rejection. Requests to amend the authorization must be submitted in writing to the individual identified in General Condition No. 1.
5. All persons participating in the authorized activity must be under the supervision of the authorization holder and the authorization holder is responsible for any violation of this authorization and Section 113. The authorization holder must assure that all persons performing activities under this authorization are fully aware of the conditions herein.
6. This authorization is non-transferable and must be carried by the authorization holder at all times while engaging in any activity permitted by this authorization.
7. This authorization may be suspended, revoked, or modified for violation of the terms and conditions of this authorization and Section 113. Such action will be communicated in writing to the authorization holder and will set forth the reason(s) for the action taken.
8. This authorization may be suspended, revoked, or modified if requirements from previous authorizations issued to the authorization holder are not fulfilled by their due date.
9. Authorization requests for any future activities under Section 113 by the authorization holder will not be considered until all requirements from this authorization are fulfilled.
10. Any publications and/or reports resulting from activities conducted under the authority of this permit must include the notation that the activity was conducted under NOAA Authorization No. Titanic-2019-001 and be sent to the individual listed in General Condition No. 1.
11. This authorization does not relieve the authorization holder of responsibility to comply with all other applicable domestic and international laws and regulations, and this authorization is not valid until all other necessary permits, authorizations, court orders, and/or approvals are obtained. This permit does not allow disturbance of marine mammals or seabirds protected under provisions of the Endangered Species Act, Marine Mammal Protection Act, or Migratory



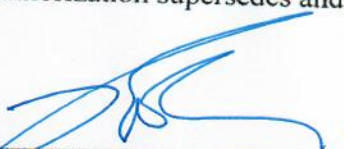
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Bird Treaty Act. Authorization for incidental or direct harassment of species protected by these acts must be secured from the U.S. Fish and Wildlife Service and/or NOAA National Marine Fisheries Service, depending upon the species affected.


12. The authorization holder shall indemnify and hold harmless NOAA, the Department of Commerce, and the United States for and against any claims arising from the conduct of any authorized activities.

13. Any question of interpretation of any term or condition of this authorization will be resolved by NOAA.

Your signature below, as the authorization holder, indicates that you accept and agree to comply with all terms and conditions of this authorization. This authorization becomes valid when you, the authorization holder, countersign and date below. Please note that the expiration date of this authorization is already set and will not be extended by a delay in your signing. Once in effect, this authorization supersedes and replaces in its entirety authorization Titanic-2019-001.


Robert McCallum, Founding Partner
EYOS Expeditions Ltd.

1 AUGUST 2019
Date


Neil Jacobs, Ph.D.
Assistant Secretary of Commerce
for Environmental Observation and Prediction
Performing the Duties of Under Secretary of Commerce
for Oceans and Atmosphere

JUL 30 2019
Date